

10-02-06

DAC \$  
Ifw



Express Mail No.: EV 475 143 233 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Fleischer and Reimer

Confirmation No.: 9935

Serial No.: 09/701,450

Group Art Unit: 1615

Filed: November 27, 2000

Examiner: Gollamudi S. Kishore

For: PREPARATIONS FOR THE APPLICATION OF  
ANTI-INFLAMMATORY, ESPECIALLY  
ANTISEPTIC AGENTS AND/OR AGENTS  
PROMOTING THE HEALING OF WOUNDS TO THE  
LOWER RESPIRATORY TRACT

Attorney Docket No.: 11390-005-999

**PETITION TO REVIVE AN APPLICATION ABANDONED DUE TO  
UNINTENTIONAL DELAY UNDER 37 C.F.R. § 1.137(b)**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby respectfully petition for the above-identified application ("the '450 application") to be revived under 37 C.F.R. § 1.137(b) on the ground that the '450 application was abandoned unintentionally. Applicants state that the entire delay from the abandonment of the '450 application to the filing of a grantable Petition is unintentional.

Submitted concurrently herewith is: (a) a Notice of Appeal; (b) a Petition for an Extension of Time for Response for three months; and (c) a Pre-Appeal Brief Conference Request, which are submitted in response to the Office Action dated March 28, 2006.

A fee of \$1,500.00 is believed due for submission of this Petition. Please charge any required fee to Jones Day Deposit Account No. 50-3013. A duplicate of this sheet is attached for accounting purposes.

10/04/2006 WABDER1 00000104 503013  
09701450

1500.00 DA  
01 FC:1453

NYJD-1638453v1

If any issues remain, Applicants respectfully request that the undersigned be contacted directly at telephone number (212) 326-3921.

Respectfully submitted,

Date: September 29, 2006 Samuel B. Abrams 30,605  
Samuel B. Abrams (Reg. No.)

By: H. P. Wu 44,412  
Henry P. Wu (Reg. No.)  
**JONES DAY**  
222 East 41<sup>st</sup> Street  
New York, New York 10017-6702  
(212) 901-9028

Enclosures